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REMARKS

This response is intended as a full and complete response to the final Office Action mailed February 16, 2007. In the Office Action, the Examiner notes that claims 1-57 are pending of which claims 9-29 and 52-57 are withdrawn from consideration and claims 1-8 and 30-51 are rejected. By this response, Applicants have amended claims 1, 4 and 30.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are indefinite, anticipated or obvious under the respective provisions of 35 U.S.C. §§112, 102 and 103. Thus, Applicants believe that all of the claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing the instant response including amendments.

35 U.S.C. §112 Rejection of Claim 34

Claim 34 is rejected under 35 U.S.C. §112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that claim 34 fails to point out what is included or excluded by the claim language because one of ordinary skill in the art at the time the invention was made would not know what actions are being included with "scaling".

Responsive to the Examiner, the Applicants herein cancel claim 34 without prejudice. The Applicants reserve the right to file one or more continuation applications to continue prosecution of any of the canceled claims. Thus, the present rejection is now moot.

35 U.S.C. §102 Rejection of Claims 1, 4-8, 30-32, 34-35, and 45-51

The Examiner has rejected claims 1, 4-8, 30-32, 34-35, and 45-51 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,547,829 to Meyerzon et al. (Meyerzon). Applicants herein amend independent claims 1, 4 and 30 and respectfully traverse the rejection.

Applicants' claim 1 recites:

1. A remote content crawler for use in a content search, packaging, and delivery system, comprising:
 - a remote content crawler processor that controls the remote content crawler;
 - a network resource processor that acquires data related to resources coupled to one or more communications networks;
 - a crawling criteria processor that acquires crawling criteria, said crawling criteria having a plurality of conditions;
 - a crawling criteria checker that determines if the acquired data meets said plurality of conditions of said crawling criteria;
 - a crawler content provider processor that receives, processes and stores content provider listings; and
 - a network crawler, wherein the network crawler crawls content providers to acquire data related to available content in accordance with the crawling criteria.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. Meyerzon fails to disclose each and every element of the claimed invention, as arranged in claim 1.

Specifically, Meyerzon fails to teach or suggest at least a remote content crawler for use in a content search, packaging and delivery system, comprising a crawling criteria checker that determines if the acquired data meets said plurality of conditions of said crawling criteria, as recited in claim 1. In an exemplary embodiment, a crawling criteria checker module is used to determine if the contents of the hypertext files meet the conditions of the crawling criteria. (See Applicants' specification, p. 18, l. 22 – p. 19, l. 2). This eliminates unnecessary processing if the crawling criteria are not met. (See *Id.* at ll. 12-13.)

Meyerzon discloses a method and system for detecting duplicate documents in web crawls. A crawler performs a full crawl and then incremental crawls to only obtain

documents that have changed since the previous crawl. (See Meyerzon, col. 4, ll. 43-67). The full crawl retrieves each document listed in a transaction log. (See Meyerzon, col. 4, ll. 20-42.) The incremental crawl obtains documents that are not duplicated, determined by a content identifier (CID). (See Meyerzon, col. 8, ll. 65-67). Notably, Meyerzon fails to teach or suggest a crawling criteria checker that determines if the acquired data meets said plurality of conditions of said crawling criteria. Consequently, Applicants' invention ensures only relevant content is retrieved via the crawling criteria checker, thereby, eliminating unnecessary processing. In contrast, Meyerzon may still retrieve and process irrelevant content.

Thus, Meyerzon does not teach or suggest each and every one of the limitations of Applicants' invention as recited in claim 1. As such, Applicants submit that independent claim 1 is not anticipated by Meyerzon and is patentable under 35 U.S.C. §102. Independent claims 4 and 30 recite relevant limitations similar to those recited in independent claim 1. Accordingly, for at least the same reasons discussed above, independent claims 4 and 30 also are not anticipated by Meyerzon and are patentable under 35 U.S.C. §102. Furthermore, claims 5-8, 31-32, 34-35, and 45-51 depend directly or indirectly from independent claims 4 and 30, while adding additional elements. Therefore, these dependent claims also are not anticipated by Meyerzon and are patentable under 35 U.S.C. §102 for at least the same reasons discussed above in regards to independent claims 1, 18, 22 and 39.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103 Rejection of Claims 2-3

The Examiner has rejected claims 2-3 under 35 U.S.C. §103(a) as being unpatentable over Meyerzon in view of Stern et al. (U.S. patent application publication No. 2002/0032740 A1, hereinafter "Stern"). Applicants respectfully traverse the rejection.

This ground of rejection applies only to dependent claims and is predicated on the validity of the rejection under 35 U.S.C. 102 given Meyerzon. Since the rejection

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under 35 U.S.C. 102 given Meyerzon has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Stern supplies that which is missing from Meyerzon to render the independent claims obvious, this ground of rejection cannot be maintained.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103 Rejection of Claim 33

The Examiner has rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Meyerzon in view of in view of the Examiner's official notice. Applicants respectfully traverse the rejection.

This ground of rejection applies only to a dependent claim and is predicated on the validity of the rejection under 35 U.S.C. 102 given Meyerzon. Since the rejection under 35 U.S.C. 102 given Meyerzon has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that the Examiner's official notice supplies that which is missing from Meyerzon to render the independent claims obvious, this ground of rejection cannot be maintained. Accordingly, claim 33 is non-obvious and patentable over Meyerzon in view of the Examiner's official notice under 35 U.S.C. §103.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103 Rejection of Claims 36-37

The Examiner has rejected claims 36-37 under 35 U.S.C. §103(a) as being unpatentable over Meyerzon in view of Johnson (U.S. patent application publication No. 2002/0010682 A1, hereinafter "Johnson"). Applicants respectfully traverse the rejection.

This ground of rejection applies only to dependent claims and is predicated on the validity of the rejection under 35 U.S.C. 102 given Meyerzon. Since the rejection under 35 U.S.C. 102 given Meyerzon has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Johnson supplies that which

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is missing from Meyerzon to render the independent claims obvious, this ground of rejection cannot be maintained.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103 Rejection of Claims 38-40

The Examiner has rejected claims 38-40 under 35 U.S.C. §103(a) as being unpatentable over Meyerzon in view of Jensen-Grey (U.S. patent application publication No. 2002/0099697 A1, hereinafter "Jensen-Grey"). Applicants respectfully traverse the rejection.

This ground of rejection applies only to dependent claims and is predicated on the validity of the rejection under 35 U.S.C. 102 given Meyerzon. Since the rejection under 35 U.S.C. 102 given Meyerzon has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Jensen-Grey supplies that which is missing from Meyerzon to render the independent claims obvious, this ground of rejection cannot be maintained.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103 Rejection of Claims 41-44

The Examiner has rejected claims 41-44 under 35 U.S.C. §103(a) as being unpatentable over Meyerzon in view of Schuetze et al. (U.S. Patent No. 6,751,612, hereinafter "Schuetze"). Applicants respectfully traverse the rejection.

This ground of rejection applies only to dependent claims and is predicated on the validity of the rejection under 35 U.S.C. 102 given Meyerzon. Since the rejection under 35 U.S.C. 102 given Meyerzon has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Schuetze supplies that which is missing from Meyerzon to render the independent claims obvious, this ground of rejection cannot be maintained.

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Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.


CONCLUSION

Thus, Applicants submit that none of the claims, presently in the application, are indefinite, anticipated or obvious under the respective provisions of 35 U.S.C. §§112, 102 and 103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jimmy Kim, at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 4/16/07



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